

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FEDERAL TRADE COMMISSION,)
)
Plaintiff,)
v.)
)
DIRECT MARKETING CONCEPTS, INC., et al.,)
)
Defendants.)



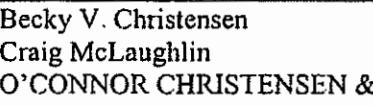

Civ. No. 04-11136 - GAO

STIPULATED JOINT MOTION TO AMEND THE COURT'S SCHEDULING ORDER


The undersigned parties respectfully ask the Court to amend the current scheduling order in this matter by extending by one month the deadlines for (1) conducting fact and expert discovery; (2) filing any dispositive motions; and (3) filing any motions in limine. This modification is necessitated by the Commission's recent filing of a motion to amend the preliminary injunction previously entered in this matter and the needs of the parties to address the issues contained therein. Under the instant proposal, the deadlines for the above will be as follows: (1) fact and expert discovery shall be completed by July 21, 2005; (2) any dispositive motions shall be filed by August 22, 2005; and any motions in limine shall be filed by September 22, 2005. Oppositions to any dispositive motion must be filed within 30 days of the filing of the relevant motion.

For the Court's convenience, a proposed Order is provided along with this motion.

Respectfully submitted,

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 Becky V. Christensen Craig McLaughlin O'CONNOR CHRISTENSEN & McGLAUGHLIN LLP 1920 Main Street, Suite 150 Irvine, CA 92614 Facsimile: (949) 851-5051 ATTORNEYS FOR HEALTHY SOLUTIONS, LLC; HEALTH SOLUTIONS, INC.; ALEJANDRO GUERRERO; MICHAEL HOWELL; and GREG GEREMESZ	 <small>Digitally signed by Joseph F. Ryan DN: cn=Joseph F. Ryan, o=US, ou=LYNE WOODWORTH + EVARTS LLP, ou=BBO 436728, email=JRYAN@LWELAW.COM Date: 2005.06.06 09:16:44 -0400</small> Joseph Ryan LYNE, WOODWORTH & EVARTS LLP 600 Atlantic Avenue Boston, MA 02210 Tel: 617-523-6655 Fax: 617-748-3675 ATTORNEYS FOR TRIAD ML MARKETING, INC; KING MEDIA, INC., ALLEN STERN, LISA STERN AND STEVEN RITCHEY

Dated June 6, 2005

<p>Daniel Kaufman Kial S. Young (Mass. Bar No. 633515) Edward Glennon Federal Trade Commission 600 Pennsylvania Avenue, N.W. Mail Drop NJ-3212 Washington, DC 20580 Tel: (202) 326-2675/3525/3126 Fax: (202) 326-3259</p> <p>ATTORNEYS FOR PLAINTIFF</p>	<p>Peter S. Brooks, BBO #05890 Christopher F. Robertson, BBO #642094 Susan W. Gelwick, BBO #567115 SEYFARTH SHAW LLP World Trade Center East Two Seaport Lane, Suite 300 Boston, MA 02210 Tel.: (617) 946-4800 Fax: (617) 946-4801</p> <p>ATTORNEYS FOR DIRECT MARKETING CONCEPTS, INC.; ITV DIRECT, INC.; DONALD W. BARRETT, and ROBERT MAIHOS</p>
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Dated June 3, 2005

CERTIFICATE OF SERVICE

My name is Edward Glennon and I am an attorney with Federal Trade Commission. On June 6, 2005, copies of (1) Stipulated Joint Motion to Amend the Court's Scheduling Order; and (2) (Proposed) Order Granting Stipulated Joint Motion to Amend the Court's Scheduling Order were served via Federal Express as follows:

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I declare under penalty of perjury that the foregoing is true and correct. Executed this June 6, 2005 at Washington, D.C.



Edward Glennon